IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.358 OF 2006

Endress + Hauser(India) Pvt.Ltd., ..Petitioners

Versus

Megi Control Systems Pvt.Ltd., ..Respondents

Mr.U.Chandrashekhar for the petitioners.

None for the respondents.

Coram : R.S.Mohite,J

Date : 8.12.2006.

PC

1. This is a petition filed by the petitioners for winding up of the respondent-company. The claim of the petitioners is Rs.11,20,020/- on the basis of goods sold and delivered. The invoice for the said amount is at Exhibit-H and the delivery challan indicates delivery of goods. A statutory notice which was issued was returned back with an endorsement "refused". The company has chosen not to put any appearance. In view of this, prima facie case is made out for admission. In the circumstances, 8 weeks time is given to the respondent-company to deposit the amount of Rs.11,20,020/- in this Court. If the amount is deposited, then the Company Petition to stand dismissed and the petitioners will be at liberty to withdraw the said amount. If however, the amount is

not deposited, then Company petition to stand admitted and to be advertised in Free Press Journal, Navshakti as well as in the Official Gazattee. On the admission of the petition, the petitioners to deposit amount of Rs.5000/- towards the cost of publication. Liberty to apply for provisional liquidator after 12 weeks in case the petition is admitted.

(R.S.Mohite,J)